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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No.: 2940

Le re:

Mosher, et al.

ol. No.: 10/781,500

Filed:

02/18/2004

For:

METHOD, APPARATUS, AND COMPUTER PROGRAM

PRODUCT FOR RADAR CROSSRANGE SUPERRESOLUTION

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Petition To Grant Filing Date And To Refund Petition Fee

As set forth in MPEP §506.02, Applicant hereby petitions to grant the proper filing date of February 18, 2004 rather than February 17, 2004 for the above-identified patent application. The following is enclosed as evidence of February 18, 2004 being the correct filing date under 37 CFR § 1.10:

- 1. A copy of the Cover Sheet for the Application showing the Express Mail Number; and
- 2. A copy of the Express Mail Receipt marked by the United States Post Office as being mailed at 6:50 p.m. on February 18, 2004.

A copy of our return post card from the United States Patent Office shows that Applicant was improperly given the filing date of February 17, 2004 instead of February 18, 2004.

There is no error on the part of Applicant. Accordingly, Applicant respectfully requests the granting of February 18, 2004 as the filing date.

A check in the amount of \$130.00 in payment of the petition fee as set forth in 37 CFR \$1.17(i) is enclosed herewith. Any additional fee may be charged or any overpayment credited to our Deposit Account No. 16-0605. Because no defect existed, however, Applicant also respectfully requests refund of the petition fee.

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Respectfully submitted,

Keith A. Roberson

Registration No. 52,171

In re: Mosher, et al. Appl . No.: 10/781,500 Filing Date: 02/18/2004

Page 2

CUSTOMER NO. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

Vaues

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

on October 7, 2004

Sheila Hayes

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 038190/272189

First Inventor Mosher, et al.

Title METHOD, APPARATUS AND COMPUTER PROGRAM PRODUCT FOR RADAR CROSSRANGE SUPERRESOLUTION

Express Mail Label No. EV231896322US

ADDRESS TO: MAIL STOP PATENT APPLICATION **COMMISSIONER FOR PATENTS** P.O. BOX 1450

ALEXANDRIA, VA 22313-1450

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventors: Aaron Y. Mosher, Peter Wittenberg

Assignee of this invention is The Boeing Company

The Filing Fee has been calculated as shown below: 1. Applicant claims Small Entity Status. See 37 CFR 1.27.

Application Data Sheet. See 37 CFR 1.76

6.

7.

				Sma	ll Entity	Large	Entity
	No. Filed	No. Extr	<u>a</u>	Rate	Fee 0	Rate	Fee 1
BASIC FEE					\$ 0		\$ 770
TOTAL CLAIMS:	35 -	20 =	15	Х	9 = \$ 0	x 18	= \$ 270
INDEP CLAIMS:	4 -	3 =	1	X	43 = \$ 0	x 86	= \$ 86
[□]MULTIPLE DEPENDENT CLAIMS PRESENTED			+1	45 = \$	+290) = \$	
*If the difference in Column 1 is less than zero, enter "0" in Column 2.			TOTAL	\$	TOTAL	\$ 1126	

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit

	Acct. No	o. 16-0605.
	a. b.	Fees required under 37 CFR 1.16 (National filing fees). Fees required under 37 CFR 1.17 (National application processing fees) including any extension of time fees under 37 CFR § 1.136(a) that are required for consideration of papers filed during prosecution.
	\boxtimes	A check in the amount of \$ 1,126.00 for the filing fee is enclosed.
		The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing Parts.
3.	\boxtimes	Specification; Total Pages 21
4.	\boxtimes	3 Sheets of Drawing(s) (35 USC 113)
5.		Declaration and Power of Attorney; [Total Pages 3] a. Newly executed (original or copy) b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) & 1.33(b).

CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8.	Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. Computer Readable Copy (CRF)				
	b	Request for Transfer of Computer Readable Form of Sequence Listing			
	c.	under 37 CFR § 1.821(e) and MPEP 2422.05 (must be compliant with new rules) Specification Sequence Listing on:			
	.	i. CD-ROM or CD-R (2 copies); or			
	đ.	ii. Paper (Pages) Statements verifying identity of above copies			
ACCO		ING APPLICATION PARTS			
9.	\boxtimes	Assignment Papers (cover sheet & document(s) (including a check for the \$40.00 fee)			
10.		37 CFR 3.73(b) Statement (when there is an assignee); Power of Attorney			
11.		English Translation Document (if applicable)			
12.	\boxtimes	Information Disclosure Statement (IDS)/PTO-1449; <u>0</u> Copies of IDS Citations			
13.		Preliminary Amendment			
14.	\boxtimes	Return Receipt Postcard (MPEP 503) (Should be specifically itemized)			
15.		Certified Copy of Priority Document(s) (if foreign priority is claimed) Foreign Priority is claimed as Application No., filed			
16.		Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB35 or its equivalent.			
17.		Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.			
18.	8. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: Continuation Divisional Continuation in Part (CIP)				
		of prior Application No:; Filed			
	Prior Ap	oplication Information: Examiner Group/Art Unit:			
under Box	c 5b, is cons	N or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied sidered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by portation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.			
19.	CORRI	ESPONDENCE ADDRESS <u>CUSTOMER NUMBER 00826</u>			
C:		Keal R.L			
Signature.					
Attorney/Agent of Record: Keith A. Roberson Attorney/Agent Registration No. 52,171 EV23189L322US					
Alston & Bird LLP Bank of America Plaza					
		Street, Suite 4000 Tel Charlotte Office (704) 444-1000			
Charlotte, NC 28280-4000 Fax Charlotte Office (704) 444-1111					
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Date of Deposit February 18, 2004 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post					
Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:					
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Commissioner for Patents P.O. Box 1450

Atty. Dkt. No. 038190/272189

Alexandria, VA 22313-1450 Kindly acknowledge receipt of the accompanying UTILITY PATENT APPLICATION with Application Transmittal Cover Sheet for: Inventor(s):

Title of Invention: METHOD, APPARATUS AND COMPUTER PROGRAM

PRODUCT FOR RADAR CROSSRANGE SUPERRESOLUTION

Pages of Spec. (including claims and abstract) 21; No. of Claims 35 No. of Drawing Sheets 3; Declaration (3 pages); IDS with PTO 1449; Assignment

with Cover Sheet

Checks Enclosed: \$1,126.00 (Filing Fee)/\$40.00 (Assignment Recordation Fee)

Please place office stamp hereon and Return Postcard to: Sheila Hayes/KAR **ALSTON & BIRD LLP**

